

REMARKS/ARGUMENTS

Claims 1, 5-9, 11-15, 19 and 20 were presented for examination and are pending in this application. In an Official Office Action dated August 14, 2006, claims 1, 5-9, 11-15, 19 and 20 were rejected. The Applicants thank the Examiner for his consideration and address the Examiner's comments concerning the claims pending in this application below.

Applicants herein amend claims 9 and 11 and respectfully traverse the Examiner's prior rejections. No claims are presently canceled and two new claims, 21 and 22, are presently added. These changes are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended to expedite the prosecution and issuance of the application. In making this amendment, Applicants have not and are not narrowing the scope of the protection to which the Applicants consider the claimed invention to be entitled and do not concede, directly or by implication, that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seek to pursue protection for the subject matter presented in this submission.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and withdraw them.

Objections to the Claims

The Examiner objects to claims 11-14 as depending from a canceled claim. Claim 11, the root claim of the series, has been herein amended to depend from claim 9. Withdrawal of the objection is requested.

Rejection of the Claims under 35 U.S.C. §102(e)

Claims 9 and 11 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,044,402 by Jacobson et al (“Jacobson”). Applicants respectfully traverse these rejections in light of the following remarks.

MPEP §2131 provides:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir.1987). “The identical invention must be shown in as complete detail as contained in the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

The claims as currently amended recite features lacking in the applied reference. For example, independent claim 9 recites, among other things, “comparing at a mid-level manager, wherein said mid-level manager operates in said remote services system in conjunction with a communications module for controlling the flow of messages in said remote services system between a customer proxy and an applications server....”

Jacobson fails to disclose a mid-level manager working in conjunction with a communications module for controlling the flow of messages between a customer proxy and an applications server. Jacobson appears to teach a Network Connection Blocker (“NCB”) that protects a subnet from unauthorized connections. As described in Jacobson at Col. 3, lines “the NCB passively monitors all of the connections between the protected host computers and all of the connections between the protected and remote host computers.” The NCB

of Jacobson does not control the flow of messages between a customer proxy and an applications server. Furthermore, Jacobson's NCB fails to work in conjunction with an intermediate mid-level manager that provides data queue management, transaction integrity and redundancy.

Jacobson clearly fails to disclose each and every element of the invention recited in claim 9. Reconsideration is respectfully requested. For at least the same reasons, claims 11, which depends from claim 9 is also deemed not anticipated by Jacobson.

35 U.S.C. §103(a) Obviousness Rejection of Claims

Claims 1, 5-8 and 12-15, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobson in view of U.S. Patent No. 6,044,402 by Bisbee et al. ("Bisbee"). Applicants respectfully traverse these rejections in light of the aforementioned remarks and respectfully requests reconsideration.

MPEP §2143 provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The cited references fail to teach or suggest all of the limitations recited in the claims as currently amended. For example, both independent claims 1 and 15 recite, among other things and in varying language, "a mid-level manager

operating in said remote services system in conjunction with said communications module for controlling the flow of messages in said remote services system between a customer proxy and an applications server and for verifying the identity of a sender...."

Neither Jacobson nor Bisbee teach or suggest a remote services system employing a mid-level manager operating in conjunction with a communications module that controls the flow of messages between a customer proxy and an applications server. As discussed above, Jacobson is silent with respect to these limitations and Bisbee fails to rectify this deficiency. The Examiner points out that Bisbee introduces the idea of a cryptographic module employing secure socket layer encryption. However the Examiner mistakenly relies on Jacobson to teach a system that verifies the identity of a sender who sends messages between an application server and a customer proxy by comparing identity data in a network software layer to identity data in an application software layer. While some of these limitations can be found in the cited art, all of these limitations are neither found in Jacobson nor Bisbee or their combination. Accordingly, claims 1 and 15 are deemed patentable over Jacobson in view of Bisbee as are the claims that depend from claims 1 and 15. Withdrawal of the rejection and reconsideration is respectfully requested.

Conclusion

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

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No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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Michael C. Martensen, No. 46,901
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(719) 448-5910 Tel
(303) 899-7333 Fax